

RID (Rule Interpretation Decision)

(Use additional sheets as necessary)

Type of RID		Requested Response Time	DSD Assigned RID #
Customer RID	?	24 hours	?
Internal Staff RID	<input checked="" type="checkbox"/>	10 working days	<input checked="" type="checkbox"/>
		As time available	?

1. Project Name: Multi-family Building Setbacks

2. Project Number: NA

(Plat #, Zoning Case #, etc.)

3. Project Street Address: NA

(If not available nearest intersection of two public streets)

4. Applicant Name: Paul Oakley

5. Applicant Address: DSD

6. Applicant Telephone #: (210) 207-0156

7. Applicant e-mail Address: paulo@sanantonio.gov

8. Rule in Question:

(Section and/or policy of UDC, Building Code, Master Plan, etc)

9. Applicant's Position:

(Including date position presented and name of city staff point of contact)

Date: 6/22/04 **Contact:** Paul Oakley **Contact Telephone #:** (210) 207-4564

Table 310-1 (see below) provides for a maximum setback for "MF-22", "MF-33", "MF-40" and "MF-50" of 20 feet. Neither the table or the UDC specify whether this applies to all buildings in an apartment complex, the office building, recreation facilities and/or if it refers to the complex as a single entity requiring only one point of a structure to be within 20 foot of the front property line. Since the UDC is silent on the above issues staff is of the opinion that a policy needs to be established by the Director to address the concern in future plan reviews.

**Table 310-1
Lot and Building Dimensions Table**

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)
LOT DIMENSIONS								BLDG ON LOT				BUILDING			
Zoning District	Lot Size (min)	Lot Size (max)	Density (max) (units/acre)	Street Frontage (min)	Width (min)	Width (max)	Depth (min)	Depth(max)	* Front Setback (min)	* Front Setback (max)	Side Setback (min)	Rear Setback (min)	Height (max)	Size - Individual Building Size(max)	Size - Aggregate Building Size (max)
MF-25 ⁽¹⁾	—	—	25	50	50	—	—	—	—	20 ⁽³⁾⁽⁴⁾	5	10	35	—	Deleted: -
MF-33 ⁽¹⁾	—	—	33	50	50	—	—	—	—	20 ⁽³⁾⁽⁴⁾	5	10	45	—	Deleted: -
MF-40 ⁽¹⁾	—	—	40	50	50	—	—	—	—	20 ⁽³⁾⁽⁴⁾	5	10	60	—	—
MF-50 ⁽¹⁾	—	—	50	50	50	—	—	—	—	20 ⁽³⁾⁽⁴⁾	5	10	—	—	—

10. Staff Finding:

(Including date of finding and name of city staff person formulating finding)

Date: 6/25/04 **Contact:** Bill Telford **Contact Telephone #:** (210) 207-78798

During the development of the UDC the neighborhood and environmental stakeholders placed emphasis on directing San Antonio's growth in a more pedestrian friendly pattern by locating buildings closer to the street and reducing where possible visual blight created by parking lots. Developers expressed reservation about maximum building setbacks relative to decrease site design options and placing living units too close to heavy traffic streets such as collectors and arterials.

11. Staff Position:

(Including date position presented internally and name of city staff person formulating position)

Date: 6/25/04 **Contact:** Bill Telford **Contact Telephone #:** (210) 207-78798

After three years of experience with the UDC and application of it to real projects (not theoretically concepts) it has become apparent that some provisions which had merit on the surface lacked practical application in a real world project.

Cons:

- It is obvious that living units within 20 foot of a collector or arterial street due to traffic noise are not as desirable as rental units as units located 60 to 70 foot from the street.
- Mandatory maximums limit site design possibilities especially in the case of slopes, drainage, required detention ponds and the conservation of trees.
- Dwelling units with entry doors fronting on collector or arterial streets have a higher risk security concern as opposed to the same units and setbacks on a 50' local street with limited traffic volumes.
- Lining up all buildings along a 20 foot maximum setback creates a wall which based on the architecture of the structures may or may not be complimentary to the adjoining neighborhoods.

Pros:

- The maximum 20 foot setback eliminates visual blight created by parking lots fronting the street.
- The maximum 20 foot front setback complements adjacent commercial development that has its front entries adjacent to the street with side or rear parking.
- The 20 foot maximum can by the provisions of the UDC be waived by the Director of Development Services for the purpose of conserving significant trees and tree stands.

12. Departmental Policy or Action:

(Including date of presentation of policy or action to the applicant, the effective date of the policy or action, schedule for pursuing an amendment to the code if required and signature of the Director of Development Services)

Date of policy/action: 6/28/04

Effective Date of policy/action: immediately

Review of the staff findings indicate that the maximum setback does not universally apply and unnecessarily restricts the development of multi-family projects, especially those located on higher order streets (collector, arterials, freeways and highways). The UDC is silent on what portion of a multi-family development must be governed by the maximum setback and it is clear that not all buildings would be able to be sited in order to comply with the provision as written.

Based on the above I am establishing a policy that the maximum setback requirement is essentially met when any part of any principal building (apartment building, office or recreational center/game room) is located no further back than 20 foot from the front property line.

I am directing staff to prepare an amendment to the UDC that clarifies what portion of a complex be constructed within the maximum 20 foot setback limit (if any). Also I am directing staff, if we maintain the 20 foot maximum setback, to look at options for placing parking in the front by means of providing an additional landscape buffer that would screen the major portion of the cars from view.

Florencio Peña III, Director
Development Services Department